

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

MARVEL JONES,

Petitioner,

vs.

SHERI DAWSON, and MARK  
LABOUCHANOIERE,

Respondents.

**8:20CV275**

**MEMORANDUM AND ORDER**

This matter is before the court on Petitioner's Motion for Leave to Proceed in Forma Pauperis ("IFP"). ([Filing 2](#).) Habeas corpus cases attacking the legality of a person's confinement require the payment of a \$5.00 fee. [28 U.S.C. § 1914\(a\)](#). The court has reviewed the application to proceed IFP pursuant to [28 U.S.C. § 1915\(a\)\(1\)-\(2\)](#). Petitioner represents that he receives business, profession, or other self-employment income, though he doesn't specify how much, and that he has over \$2000 in cash or in a checking or savings account. ([Filing 2](#).) Petitioner filed a copy of his "Detailed Account Ledger" from the Norfolk Regional Center, where he is confined, which shows an account balance of \$2640.00 as of June 30, 2020. ([Filing 3](#).) Thus, the court concludes that Petitioner must be required to pay the \$5.00 filing fee because he has the financial ability to do so. *See* [28 U.S.C. § 1915\(a\)](#). No further review of this case will take place until the fee is paid.

IT IS THEREFORE ORDERED that:

1. Petitioner's request to proceed IFP ([filing 2](#)) is denied.
2. Petitioner must pay the \$5.00 filing fee within 30 days. Petitioner is warned that if the fee is not paid as required, the court may dismiss this case without further notice.

3. The clerk of the court is directed to set a pro se case management deadline in this case using the following text: **August 10, 2020:** deadline for Petitioner to pay \$5.00 filing fee.

4. No further review of this case will take place until the filing fee is paid.

Dated this 9th day of July, 2020.

BY THE COURT:



Richard G. Kopf  
Senior United States District Judge